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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/897,237	07/02/2001	Mika Munenaka	09792909-5086	8226	
	7590 10/26/200 EIN NATH & ROSEN'		EXAMINER		
P.O. BOX 0610		AILES, BENJAMIN A			
WACKER DRIVE STATION, WILLIS TOWER CHICAGO, IL 60606-1080		IS TOWER	ART UNIT	PAPER NUMBER	
			2442		
			MAIL DATE	DELIVERY MODE	
			10/26/2009	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.		Applicant(s)		
09/897,237		MUNENAKA ET AL.		
	Examiner	Art Unit		
	BENJAMIN AILES	2442		

			BENJAMIN A	ILES	2442	
1. ☑ The reply was filed efter a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following grience prioritions: a ☐ The period for reply expiresmonths from the mailing date of the final rejection. b) ☑ The period for reply expiresmonths from the mailing date of the final rejection. b) ☑ The period for reply expires on: (1) the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (e) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS for THE FINAL REJECTION. See MFEP 708.07(1). Extensions of time may be obtained under 37 CFR 1.138(d). The date on which the petition under 37 CFR 1.138(a) and the appropriate extension fee under 37 CFR 1.178(i) is calculated from: (1) the expiration date of the shortened standardy period for reply originally set in the final folico actor, (2) as many reduce any example part and part of the shortened standardy period for reply originally set in the final folico actor, (2) as many reduce any example part and part of the shortened standardy period for reply originally set in the final folico actor, (2) as many reduce any example part of the shortened standardy period for reply originally set in the final office actor, (2) as many reduce any example date and part of the final rejection, even if timely filed. □ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was been filed, any reply must be filed within the time period set froit in 37 CFR 41.37(a). ■ The Notice of Appeal was been filed, any reply must be filed within the time period set froit in 37 CFR 41.337(a). ■ The proposed amendment(s) filed a	T	he MAILING DATE of this communication appe	ears on the cov	er sheet with the	correspondence add	ress
1. ☑ The reply was filed efter a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidative, to other evidence that application, application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.1.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a ☐ The period for reply expiresmonths from the mailing date of the final rejection. b) ☑ The period for reply expiresmonths from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (e) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRMA REJECTION. See MPEP 708.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee naver been filed is the date for purposes of determining the period of extension and the corresponding amount of the file. The spring reduce any example part of the subtract of the file experion (e) (2) as many reduce any example part of the subtract of the file experion (e) (2) as many reduce any example part of the subtract of the file experion, even if inney filed.) NOTICE OF APPEAL. ☐ The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 (b), to avoid dismissal of the date of Notice of Appeal was been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS AMENDM	THE REPLY	FILED 20 October 2009 FAILS TO PLACE THIS A	APPLICATION	IN CONDITION FO	R ALLOWANCE.	
a) ☐ The period for reply expiresmonths from the mailing date of the final rejection. b) ☐ The period for reply expires on: (1) the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner hate: If box it is checked, check either box (6) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee was feet for thin (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed. **NOTICE OF APPEAL** 2. ☐ The Notice of Appeal was filed on	1. ⊠ The rep applicat applicat for Con	ly was filed after a final rejection, but prior to or on tion, applicant must timely file one of the following i tion in condition for allowance; (2) a Notice of Appe tinued Examination (RCE) in compliance with 37 C	the same day a replies: (1) an a eal (with appeal	as filing a Notice of amendment, affidavi I fee) in compliance	Appeal. To avoid abar it, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request
have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action, or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They arise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)). A phicant's reply has overcome the following rejection(s):	a) The b) The no e	period for reply expiresmonths from the mailing period for reply expires on: (1) the mailing date of this Alevent, however, will the statutory period for reply expire laminer Note: If box 1 is checked, check either box (a) or (Advisory Action, o ater than SIX MO (b). ONLY CHEC	r (2) the date set forth NTHS from the mailin	g date of the final rejectio	n.
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(a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s):	filing the	e Notice of Appeal (37 CFR 41.37(a)), or any exter of Appeal has been filed, any reply must be filed wi	nsion thereof (3	37 CFR 41.37(e)), to	avoid dismissal of the	
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non-allowable claim(s). For purposes of appeal, the proposed amendment(s): a) \(\text{ will not be entered, or b)} \) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 1-8,10-17 and 19-26. Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. \(\text{ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. \(\text{ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. \(\text{ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. \(\text{ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. \(\text{ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \(\text{ H. A./} \)	4. The am 5. Applica	NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1 nendments are not in compliance with 37 CFR 1.12 ant's reply has overcome the following rejection(s):	16 and 41.33(a 21. See attache :)). ed Notice of Non-Co	mpliant Amendment (I	,
8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1). 10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER 11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet. 12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). 13. Other: (B. A./	non-allo 7. For pur how the The sta Claim(s Claim(s Claim(s	powable claim(s). poses of appeal, the proposed amendment(s): a) new or amended claims would be rejected is providus of the claim(s) is (or will be) as follows:) allowed:) objected to:) rejected: 1-8,10-17 and 19-26.	will not be €	entered, or b) 🔲 wi		
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12. Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08) Paper No(s) 13. Other: /Jeffrey Pwu/ /B. A./	REQUEST FO	OR RECONSIDERATION/OTHER			·	
D 1 1	12. Note tl	he attached Information <i>Disclosure Statement</i> (s). ((PTO/SB/08) P	aper No(s)		

Continuation of 3. NOTE: Applicant's proposed amendments to claims 1, 10 and 19 require further search and/or consideration.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's remarks are directed towards proposed claim subject matter which requires further search and/or consideration.